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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Terrence M. Fulkerson et al.)	
)	Examiner: Bertheaud, Peter J.
)	
Serial No.:	10/711,429)	Art Unit: 3746
)	
Filed:	September 17, 2004)	
)	Confirmation No.: 5428
For:	DENSE PHASE PUMP FOR DRY)	
	PARTICULATE MATERIAL)	Attorney Docket No.: 11694/04384

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

EXPLANATION OF SUBMITTED INFORMATION

☒ 1. This Information Disclosure Statement includes reference to two co-pending applications owned by the assignee of the above identified application. The file histories, including the Office Actions and responses, may be deemed material by Examiner Bertheaud to the patentability of the present claims. More particularly, the Ogawa JP 09-071325 reference,

which is of record herein, was also considered in the 11/533,519 co-pending application and used to reject claims therein. The 12/100,116 application was a first action allowance directed to claims restricted from the 11/533,519 application, and the reasons for allowance may be deemed material to patentability of the present claims. Examiner Bertheaud is requested to review those matters as to materiality to the present claims under examination.

CERTIFICATION AND FEE PAYMENT INFORMATION

- ☒ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:
- ☒ The Patent Office is hereby authorized to charge the amount of **\$180** as required under §1.17(p) and any related fee to Deposit Account No. 03-0172, order number 11694/04384.
- ☒ **Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 03-0172, order number 11694/04384.**

Respectfully submitted,

Date: October 20, 2008

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